

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN BENSCOTER,

No. 4:22-CV-01142

Plaintiff,

(Chief Judge Brann)

v.

NATIONWIDE MUTUAL  
INSURANCE COMPANY,

Defendant.

**ORDER**

AUGUST 22, 2023

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendant Nationwide Mutual Insurance Company's Motion for Summary Judgment (Doc. 29) is **GRANTED** as to Counts I, II, III, and V and **DENIED** as to Count IV.
2. Plaintiff John Benscoter's Motion for Partial Summary Judgment (Doc. 36) is **DENIED**.
3. Upon resolution of the remaining claim in the case the Clerk of Court is directed to enter judgment against Plaintiff, and in favor of Defendant as to Count I, II, III, and V.

4. Plaintiff John Benscoter shall file any amended pleadings on or before  
**September 12, 2023.**

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann  
Chief United States District Judge